

## Record of Officer's Decision

### The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

<b>Date of Decision:</b>	21 <sup>st</sup> November 2023
<b>Decision Maker (Officer):</b>	Sharon Harwood-Bee
<b>Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):</b>	<p>Part 3, Schedule 3 – Delegation of Executive Functions delegated to Officers paragraph 4.4 (1) <i>With the exception of the matters which the Leader of the Council has determined are to be discharged by the Cabinet or individual Portfolio Holders, as detailed in the Cabinet Scheme of Delegation, the Chief Executive and the Corporate Directors have delegated authority to discharge all executive functions within their respective service areas as set out in Article 12, having authority to act on all such matters. The Chief Executive shall determine from time to time what the service responsibilities of the Deputy Chief Executive and each Corporate Director and Head of Service shall be.</i></p> <p>(2). <i>The delegation of powers to officers is underpinned by the principle and culture of consultation and liaison with Members, as appropriate and the ability for officers to refer matters to the relevant decision maker i.e. individual Portfolio Holder or a meeting of the full Cabinet, where it is felt that this is appropriate due to the nature of an issue.</i></p>
<b>Identify which Portfolio Holder(s)/Committee Chairman consulted?</b>	Concurrence has been obtained in consultation with the Portfolio Holder for Housing & Planning; Deputy Leader of the Tendring Independents Group, Cllr. A Baker
<b>Ward Member(s) consulted?</b>	N/A
<b>Is it a Key Decision?</b>	No
<b>Is it subject to call-in?</b>	No
<b>Decision Made:</b>	<b>Officer decision to enter into the Collaboration Agreement between HM Land Registry and Tendring District Council in relation to the Local Land Charges Programme to migrate the LLC Register to HMLR.</b>

<p><b>Reason for Decision (if a report was produced to support the Decision, refer to or attach it):</b></p>	<p>Schedule 5 of the Infrastructure Act 2015 requires Local Authorities to migrate their Local Land Charges Register to the HMLR as part of a programme to make HMLR the sole registering authority and official search provider for the LLC Register in accordance with the provisions of the Infrastructure Act 2015.</p> <p>The Parties to the Collaboration Agreement will establish a framework to govern their respective rights and obligations in relation to the LLC Programme.</p>
<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<p>The provisions of the Infrastructure Act 2015 require TDC to pass the statutory function of the Local Land Charges Register to HM Land Registry once a data cleansing and migration project has been undertaken.</p> <p>Payment for an official copy of the LLC Register, currently £15.00 per search, will no longer be made to the Local Authority although TDC will continue to be required to update and maintain the LLC Register and to respond to queries or enquiries relating to it.</p> <p>Annual search figures are market dependent may vary considerably from year to year. The current housing market suggests that approximately 1500 searches will be undertaken in 2023/24 however in previous years the Local Land Charges department has completed over 2600 searches in a year. Based on the estimated figure for the current financial year, and the previous 3 years, we arrive at an average of 2150 LLC1 or combined searches per annum and consequently an estimated annual loss of £32,250.</p> <p>A transition payment of £90,000 will be made, in instalments, to TDC to cover the impact the loss of income and the new burden associated with the work required to make the LLC data compatible with HMLR systems.</p> <p>That the LLC Register will sit with HMLR does not, however, mean the LLC section loses this element of their workload as Local Authorities are required to update and maintain the Register as they do now, including answering any queries or enquiries resulting from the registerable entries.</p>
<p><b>Details of any Alternative Options Considered and rejected (together with reasons):</b></p>	<p>There are no alternative options to HMLR becoming sole provider of the LLC Register searches.</p>
<p><b>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer,</b></p>	<p>N/A</p>

<p>which related to the decision)</p> <p>If relevant, a note of the dispensation granted by the Monitoring Officer:</p>		
<p><b>Reason Decision, or supporting Report, is not published:</b></p> <p><i>Tick one or more of the specific exemptions, <b>and</b> Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i></p>	<input checked="" type="checkbox"/>	Not applicable – Decision [and report] to be published
	If Report is not to be published – tick one of the following boxes:	
	<input type="checkbox"/>	
	<input type="checkbox"/>	N/A
	<input type="checkbox"/>	
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### Officers

Signed:

Gary Guiver

Title: Director of Planning

Sharon Harwood-Bee

Title: Head of Planning Business & Policy

**In consultation with: Cllr. A. Baker**

**Dated: 21<sup>st</sup> November 2023**